

Senate File 185 - Introduced

SENATE FILE 185

BY SALMON

A BILL FOR

1 An Act relating to the application of certain provisions
2 regarding motor vehicles and law of the road to road
3 workers.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.233, Code 2023, is amended to read
2 as follows:

3 **321.233 Road workers exempted.**

4 1. This chapter, except sections 321.277 and 321.280, does
5 not apply to persons and motor vehicles and other equipment
6 while actually engaged in work upon the surface of a highway
7 officially closed to traffic but does apply to such persons
8 and vehicles when traveling to or from such work. The minimum
9 speed restriction of section 321.285, subsection 5, and the
10 provisions of sections 321.297, 321.298, and 321.323 do not
11 apply to road workers operating maintenance equipment on
12 behalf of any state or local authority while engaged in road
13 maintenance, road blading, snow and ice control and removal,
14 and granular resurfacing work on a highway, ~~whether or not~~
15 regardless of whether the highway is closed to traffic.

16 2. Notwithstanding subsection 1, this chapter does apply to
17 persons and road workers described in subsection 1 who cause
18 injury or damage as a result of the person's negligence, who
19 violate section 321.277, or who commit an assault or homicide
20 while operating a motor vehicle as described in section
21 321.280.

22 **EXPLANATION**

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 Under current law, Code chapter 321 (motor vehicles and law
26 of the road) generally does not apply to road workers, motor
27 vehicles, and other equipment while actually engaged in work
28 upon the surface of a highway officially closed to traffic
29 but does apply to such persons and vehicles when traveling to
30 or from such work. However, Code section 321.277 (reckless
31 driving) and Code section 321.280 (conviction under Code
32 chapter 321 not a bar to prosecution for assault or homicide)
33 are specifically still applicable to road workers.

34 Current law also provides that if a road worker is operating
35 maintenance equipment on behalf of any state or local authority

1 while engaged in road maintenance, road blading, snow or ice
2 control or removal, or granular resurfacing work on a highway,
3 then the minimum speed restriction (Code section 321.285(5)),
4 the requirement to drive on the right-hand side of the roadway
5 (Code section 321.297), the requirement to yield one-half of
6 the roadway when meeting another vehicle or person on horseback
7 (Code section 321.298), and the prohibition against causing a
8 vehicle to be moved in a backward direction on a highway (Code
9 section 321.323) do not apply to such road workers regardless
10 of whether the highway is closed to traffic.

11 This bill makes Code chapter 321 applicable to such road
12 workers who cause injury or damage as a result of the person's
13 negligence, and makes organizational changes to Code section
14 321.233.